

**MINUTES OF THE TOWN COUNCIL MEETING
OF THE
TOWN OF STALLINGS, NORTH CAROLINA**

The Town Council of the Town of Stallings met for a meeting on September 14, 2020, at 7:00 p.m. via Zoom, a virtual electronic platform, due to the North Carolina declared state of emergency because of COVID-19. Public could access the meeting via phone (1-646-558-8656), web link (<https://zoom.us/j/91553273612?pwd=Z0g3RWNmcm9GQQT09>) or the Zoom app (Meeting ID: 915 5327 3612; Password: 363276).

Those present and visible on camera were: Mayor Pro Tempore Lynda Paxton; Council Members Steven Ayers, Heather Grooms, John Martin, Brad Richardson, and David Scholl.

Those absent were: Mayor Wyatt Dunn.

Staff present were: Alex Sewell, Town Manager; Erinn Nichols, Assistant Town Manager/Town Clerk; Marsha Gross, Finance Officer; Lynne Hair, Town Planner; Chris Easterly, Town Engineer; Ashley Platts, Parks and Recreation Director; Police Chief Dennis Franks; Melanie Cox, Town Attorney, and Mac McCarley, Planning and Zoning Attorney.

Invocation, Pledge of Allegiance and meeting called to order

Mayor Pro Tempore Lynda Paxton welcomed everyone to the meeting and Council Member Grooms delivered the invocation. Mayor Pro Tempore Paxton then led the Pledge of Allegiance and called the meeting to order.

Public Comments

No one joined the meeting who wanted to give public comment.

1. Approval of Consent Agenda Items

- A. CARES ACT - Interlocal Governmental and Subrecipient Agreement for Stallings
- B. Agency Input to U.S. Department of Transportation for Silver Line
- C. Union County Charge to Collect
- D. Constitution Week Proclamation
- E. Domestic Violence Awareness Proclamation
- F. Remote Meeting Policy
(To include Board of Adjustment)

Town Manager Sewell requested that the Downtown Grant be added to the Consent Agenda as Item 1.G. Council Member Richardson read the Constitution Week Proclamation aloud and Council Member Martin read the Domestic Violence Awareness Proclamation aloud, both to bring awareness of each to the public. Council Member Martin made the motion to approve the Consent Agenda Items with

the addition of Consent Agenda Item 1.G., Interlocal Downtown Grant Agreement. The motion was seconded by Council Member Richardson which passed unanimously by Council. The Constitution Week Proclamation, the Domestic Violence Awareness Proclamation, the Union County Charge to Collect, and the Remote Meeting Policy Amendment are attached to these minutes and therefore incorporated herein.

2. Reports

A. Report from the Mayor

Mayor Dunn was not present to give a report.

B. Reports from Council Members/Town Committees

Council Members Ayers and Grooms had no reports.

Council Member Martin reported that the Stormwater Advisory Committee had not met due to COVID-19 but there was one large stormwater project which was being put out to bid. It was estimated the cost would be around \$20,000 for a project analysis for flooding concerns in Chestnut Oaks. Mr. Martin also pointed out that Stallings had been named the fifth safest city in North Carolina and the safest in the Charlotte metro region. He attributed that to the professionalism of the Police Department.

Council Member Richardson had no report.

Council Member Paxton reminded all that CRTPO would be meeting that week to address the funding shortages and updating on the NC First Commission.

Council Member Scholl had no report.

C. Report from Town Manager/Town Departments

Town Manager Sewell reported on three items:

- There were two options for the public to provide input on the Silver Line process: survey and virtual public input session.
- Shred Day was Oct. 17 from 9 a.m. – noon.
- Virtual Meetings: It was recommended meetings continue to be held remotely until Phase 3 was implemented from the Governor.

Police Chief Dennis Franks presented the Council with information regarding the department's efforts despite the COVID-19 restrictions. Since the beginning of the situation, only seven officers had exposures and all had tested negative. There had been decreases since the COVID crisis in calls and arrests.

The officers were proactively patrolling homes and businesses. Despite staffing issues, 13-30% understaff at any given time, the department was still very active in the community. Stallings community continued to show exceptional support to the Police Department.

3. Agenda Approval

Council Member Scholl made the motion to approve the Agenda as presented. The motion was seconded by Council Member Ayers and passed unanimously by Council.

4. CZ20.07.01

Conditional Zoning on PID #07126038, 1006 Vickie Lane to allow for expansion of a religious facility (Vallabh Pushti Samaj Temple).

Mayor Pro Tempore Paxton opened the public hearing. Town Planner Hair explained this was a request for a conditional zoning from Vallabh Pushti Samaj Temple in order to expand their existing facilities. The property was located in a single family subdivision and directly beside the CSX rail line and heavy industrial/future commercial use. The existing facility was grandfathered into the new ordinance. The Staff Zoning presentation on this item is attached to these minutes and therefore incorporated herein. The Planning Board recommended approval of the application with the following conditions:

- The applicant or responsible party shall obtain all permits required for development with the Town and outside agencies in compliance with applicable regulations. The submitted sketch plan must meet all requirements as established by permitting agencies.
- Allow a reduction in parking to permit 50 on-site parking spaces. Future parking needs as a result of expansion will be reviewed with any future building plans.
- Any new structures built on the site will need to receive conditional zoning approval from the Town.
- A landscape plan showing compliance with Ordinance Article 11.
- Adhere to Type C buffer requirements adjacent to remaining SFR zoning. Article 11.6.
- All debris near dumpster area be removed.
- Metal shipping containers must be removed from property.
- All code violations shall be addressed prior to issuance of a permit for construction on the site.

Bob Spalding was present representing the applicant and Prathmesh Shah, applicant, was also joining the meeting. It was noted that the new building was for socializing for the establishment. Gandhi Nishita, a member of the temple, also assured the Town it would be able to get a hold of the temple staff for any future code enforcement concerns.

Mr. Davis, Davis Steele, stated there was property on Johnson Lane being grouped for sale. He wanted the temple to be aware they would be one foot from a future drive for new development. Mr.

Davis was concerned that they were grandfathered in even in the new ordinance. The Temple's traffic stopped traffic on Vickie Lane many times in the past year. Mr. Davis felt that things were moving forward for one group only but not evaluating the lively hood of the neighbors and community.

Town Attorney Mac McCarley informed the Council that the Temple was protected by federal legislation passed unanimously by Congress and he strongly recommended approval of this application as submitted.

Council discussed the item with the applicant. There was no one joining the meeting who wished to give public comment on this item. Mayor Pro Tempore Paxton closed the public meeting. Council would vote on the item at its next meeting.

5. Greenway

A. Update on Design

Parks and Recreation Director Ashley Platts provided the Council with an update to the Greenway Plan, the Blair Mill Park portion. Staff had been working with the Vickery residents to design this area. Eric Woolridge with Destination by Design joined the meeting and presented the Council with a design update. Mr. Woolridge's presentation is attached to these minutes and therefore incorporated herein. Staff was requesting the Council:

- 1) Authorize staff to enter into an Easement Agreement with Vickery HOA covering the impacted points on HOA property contingent upon Town Attorney approval.

Council Member Martin made the motion to authorize staff to enter into an Easement Agreement with Vickery HOA covering the impacted points on HOA property contingent upon Town Attorney approval. The motion was seconded by Council Member Scholl and passed unanimously by the Council.

- 2) Approve use of budget savings in the amount of \$10,500 to cover additional design costs to address additional NCDOT requirements for the HAWK crosswalk.

Council Member Martin made the motion to approve use of budget savings in the amount of \$10,500 to cover additional design costs to address additional NCDOT requirements for the HAWK crosswalk to which Council Member Ayers seconded. The motion was passed unanimously.

B. Update on Vickery Neighborhood Accommodations

Authorization for easement agreement

Mr. Woolridge covered this topic in his presentation.

C. NCDOT – Additional Crossing Requirements Request additional funds to cover design costs
Mr. Woolridge covered this topic in his presentation.

D. Cost - How to Pay for It?

Finance Officer Marsha Gross presented the cost estimates for this section of the Greenway.

Mrs. Gross' presentation is attached to these minutes and therefore incorporated herein.

6. Front Yard Gardens (Ayers)

Council Member Ayers explained to the Council that he had received a few complaints about people having gardens in their front yards and was requesting the Council to decide if it wanted to allow such gardens.

Council held consensus not to change anything in its ordinances regarding this item.

7. Adjournment

Council Member Scholl moved to adjourn the meeting, seconded by Council Member Ayers, and the motion received unanimous support. The meeting was adjourned at approximately 9:00 p.m.

Approved on November 9, 2020.

s/Wyatt Dunn

Wyatt Dunn, Mayor

s/Erinn Nichols

Erinn E. Nichols, Town Clerk

Approved as to form:

s/Cox Law Firm, PLLC

Cox Law Firm, PLLC